

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO.: 05-267M
)	
Plaintiff,)	
)	
v.)	DETENTION ORDER
)	
ARBEOY RIVERA-GUILLEN,)	
)	
Defendant.)	

Offense charged:

Illegal Alien in Possession of Ammunition

Date of Detention Hearing: June 8, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Complaint with possession of twelve rounds of .380 caliber CCI ammunition while in the country illegally.

(2) Defendant was not interviewed by Pretrial Services. He is believed to be a native and citizen of Mexico. There is no additional information available regarding his personal history,

01 residence, family ties, ties to this District, income, financial assets, liabilities, physical/mental health
02 or controlled substance use, if any. He has two prior criminal charges in this state, and failed to
03 appear for a court appearance on one of the charges.

04 (3) BICE has placed a detainer on the defendant.

05 (4) The defendant does not contest detention.

06 (5) The defendant poses a risk of nonappearance due to unknown background
07 information, his status as a citizen and native of Mexico, and the BICE detainer. He poses a risk
08 of danger due to the nature of the offense.

09 (6) There does not appear to be any condition or combination of conditions that will
10 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
11 to other persons or the community.

12 It is therefore ORDERED:

13 (1) Defendant shall be detained pending trial and committed to the custody of the
14 Attorney General for confinement in a correction facility separate, to the extent
15 practicable, from persons awaiting or serving sentences or being held in custody
16 pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the
20 Government, the person in charge of the corrections facility in which defendant is
21 confined shall deliver the defendant to a United States Marshal for the purpose of
22 an appearance in connection with a court proceeding; and

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01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 8th day of June, 2005.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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